



California Fair Political Practices Commission

July 12, 1988

Richard E. Archibald
Deputy City Attorney
City of Sacramento
812 Tenth Street
Sacramento, CA 95814

Re: Your Request for Advice
Our File No. A-88-259

Dear Mr. Archibald:

We have received your letter concerning the new restrictions on publicly-funded mass mailings under Proposition 73.

Enclosed is a copy of follow-up advice to Vance Raye and other state and local agency representatives interpreting the mass mailing restrictions. This letter and the June 16, 1988 letter are intended as guidance to all persons similarly situated, and may therefore be relied upon until the Commission takes further action.


In regard to your specific question concerning notices of "town hall meetings" sent at public expense, please refer to paragraph 3 on page 4 of the July 1, 1988 letter. Based on that paragraph, your Exhibit "2" would be permitted because it contains no reference to any elected official. However, your Exhibit "3" could not be prepared and sent at public expense because it bears the signature of an elected official.

Richard E. Archibald
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In the future, we expect to address additional questions concerning the mass mailing restrictions in Proposition 73, and we will include your name on our mailing list for information on the subject.

Sincerely,

Diane M. Griffiths
General Counsel


By: Kathryn E. Donovan
Counsel, Legal Division

DMG:KED:ld

Enclosure



JUN 30 1988

OFFICE OF THE
CITY ATTORNEY

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CITY ATTORNEY

THEODORE H. KOBEY, JR.
ASSISTANT CITY ATTORNEY

CITY OF SACRAMENTO
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June 28, 1988

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Diane M. Griffiths
General Counsel
California Fair Political
Practices Commission
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Sacramento, CA 95804-0807

Re: Mass Mailing Provisions
of Proposition 73

Dear Ms. Griffiths:

This office has received numerous requests from City officials and staff concerning the meaning and effect of the "mass mailings" provisions of Proposition 73. While I have discussed some of these matters with representatives of your office over the telephone, I would like to request a formal written opinion on some of these questions pursuant to Government Code Section 83114.

This office has received and reviewed your June 16, 1988 letter directed to Vance Raye and other legal representatives of various state and local governmental agencies and entities. While this letter addresses some of the questions presented to this office, there are other questions which remain unanswered. The purpose of this letter is to request an opinion as to some of the unanswered questions, and to confirm that the City and its officials, agents and employees may rely upon the advice and opinions set forth in your June 16, 1988 letter.

Pursuant to Government Code Section 83114, this office respectfully requests on behalf of the City of Sacramento, and its elected and appointed officials, agents and employees, an opinion addressing the following questions:

1. May the City of Sacramento, and its elected and appointed officials, agents, and employees, rely upon the advice contained in your June 16, 1988 letter to Vance Raye et al. (copy attached as Exhibit "1" hereto)?

Diane M. Griffiths, General Counsel
California Fair Political Practices Comm.
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2. In the past, the City of Sacramento has held "town hall meetings" at various locations throughout the City for the purpose of discussing matters of general concern or, in some instances, particular events, projects and issues. These meetings are not mandatory pursuant to any federal, state or local law, and are held for the purpose of disseminating or gathering information or opinions about various issues or topics of concern. Elected officials may or may not be present at these "town hall meetings".

(a) May the City send, at public expense, notices of these "town hall meetings" to 200 or more people if such notices do not identify the elected official(s) who will be present? A draft of a proposed notice of a "town hall meeting" is attached as Exhibit "2" hereto.

(b) Assuming that the notice referenced in (a), above, is permissible, may the City send, at public expense, notices of the "town hall meetings" to 200 or more people if such notices will identify the particular official(s) to be present? A draft of a proposed notice is attached as Exhibit "3" hereto.

Your prompt response to the foregoing questions would be greatly appreciated. If you have any questions, or further explanation is needed, please do not hesitate to contact the undersigned.

Very truly yours,

JAMES P. JACKSON, City Attorney

By: Richard E. Archibald
RICHARD E. ARCHIBALD,
Deputy City Attorney

REA/jmv
Attachments